

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Index №: CV12-1195
(SLT) (MDG)

ANTHONY OLIVIERI, JR.,

Plaintiff,

- against -

**DEFENDANT'S ANSWER TO CO-
DEFENDANT'S CROSS-CLAIM**

WALDBAUM, INC., APW SUPERMARKETS, INC.,
RICHARD SICURANZA, MICHAEL IBANEZ and JAMES
ARGENZIANO,

Defendants.

Defendant, MICHAEL IBANEZ, by his attorney, HOWARD BERNSTEIN, ESQ., as and for
Defendant's Answer to the cross claim of Defendant, RICHARD SICURANZA, dated May 31, 2012,
herein alleges as follows:

1. Defendant denies allegations contained in paragraph "15" of Defendant's Cross-claim.

Dated: Staten Island, New York
June 8, 2012



HOWARD BERNSTEIN, ESQ. (HB9347)
Attorney for Defendant
MICHAEL IBANEZ
1444 Clove Road
Staten Island, New York 10301
718-727-4555

To: Steven R. Popofsky, Esq.
MOSES & SINGER LLP
Attorneys for Plaintiff
ANTHONY OLIVIERI, JR.
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
212.554.7800

James Argenziano
179 Eltingville Boulevard
Staten Island, New York 10312
Individual Defendant

Neil I. Koval, Esq.
Vedder Price, P.C.
Attorney for WALDBAUM, INC. AND
APW SUPERMARKETS, INC.
1633 Broadway, 47th Floor
New York, New York 10019
212.407.7780

Richard Sicuranza
11 Wildwood Lane
Staten Island, New York 10307
Individual Defendant

State Of New York, County Of Richmond

SS.:

I, the undersigned, an attorney admitted to practice in the courts of New York State,

☐ Certification certify that the within
By Attorney has been compared by me with the original and found to be a true and complete copy.

☐ Attorney's state that I am
Affirmation the attorney(s) of record for in the within action; I have read the foregoing

and know the contents thereof; the same is true to my own knowledge, except as to the matters therein alleged to be on information and belief, and as to those matters I believe it to be true. The reason this verification is made by me and not by

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

I affirm that the foregoing statements are true, under the penalties of perjury.

Dated:

The name signed must be printed beneath

State Of New York, County Of Richmond

SS.:

I, the undersigned, being duly sworn, depose and say: I am

☐ Individual in the action; I have read the foregoing
Verification and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.

☐ Corporate the of
Verification a corporation and a party in the within action; I have read the foregoing

and know the contents thereof; and the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true. This verification is made by me because the above party is a corporation and I am an officer thereof.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Sworn to before me on

The name signed must be printed beneath

State Of New York, County Of Richmond

SS.: (If more than one box is checked--indicate after names type of service used)

I, the undersigned, being duly sworn, say: I am not a party to the action, am over 18 years of age and reside at 1444 Clove Road, Staten Island, New York 10301. On June 8, 2012, I served the within **DEFENDANT'S ANSWER TO CO-DEFENDANT'S CROSS-CLAIM**

☒ By {by mailing a copy to each of the following persons at the last known address set forth after each
ECF and name below:
Regular Mail

Steven R. Popofsky, Esq., MOSES & SINGER LLP, The Chrysler Building, 405 Lexington Avenue, New York, New York 10174

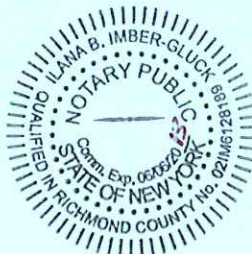
James Argenziano, 179 Eltingville Boulevard, Staten Island, New York 10312

Neil I. Koval, Esq., Vedder Price, P.C., 1633 Broadway, 47th Floor, New York, New York 10019

Richard Sicuranza, 11 Wildwood Lane, Staten Island, New York 10307

Philip J. Rizzuto (Via ECF)

Sworn to before me on June 8, 2012



EMAN BONDERENKO